

JUDGE BATTS

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

08 CV 5983

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UNITED CARGO MANAGEMENT, INC.,

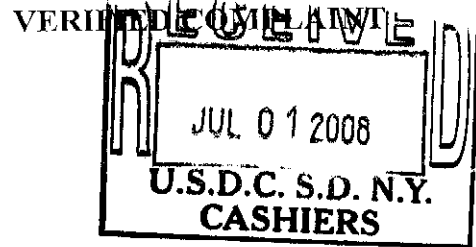
Plaintiff,

-against-

08 CV

M/V "SL LIGHTNING", her engines, boilers, etc.
and A.P. MOLLER-MAERSK A/S d/b/a
MAERSK LINE,

Defendant.



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1. This is a case of contract, cargo damage and non-delivery of cargo, civil and maritime and is an admiralty and maritime claim within the meaning of the Rule 9(h). Plaintiff invokes the maritime procedures specified in Rule 9(h).
2. Plaintiff, UNITED CARGO MANAGEMENT, INC., is a legal entity organized under the law, with an office located at 19401 S. Main Street, Suite 202, Gardena, California 90248. Defendant, A.P. MOLLER-MAERSK A/S d/b/a MAERSK LINE, is a legal entity organized under the law, with an agent, MAERSK, INC., located at 2 Giralda Farms, Madison, New Jersey 07940.
3. During all times herein mentioned, defendant was the owner and/or operator of the M/V "SL LIGHTNING" and operated it in the common carriage of goods by water for hire between Shanghai and Los Angeles, California.
4. The M/V "SL LIGHTNING" is now or during the pendency of this action will be, within this District.

5. On or about January 7, 2008, De Well Container Shipping Corp. delivered a shipment of 984 ctns of building material to defendant, as a common carrier at the port of Shanghai in good condition, for transportation on board the M/V "SL LIGHTNING" to Los Angeles, California, in consideration of an agreed freight and pursuant to the valid terms and conditions of a clean on-board bill of lading issued by defendant and the M/V "SL LIGHTNING".
6. Defendant caused said goods, still in good order and condition to be laden on board the M/V "SL LIGHTNING". On or about January 25, 2008, the M/V "SL LIGHTNING" arrived at the port of Los Angeles, California and delivered said shipment in a short, slack and damaged condition.
7. Prior to January 25, 2008, plaintiff became for value the owner of said shipment and the owner and holder of said clean on-board bill of lading and brings this suit on its own behalf and that of all others interested in said shipment.
8. All conditions precedent required of plaintiff and of all others interested in said shipment have been performed.
9. By reason of the premises, plaintiff and those on whose behalf this suit is brought have sustained damages in the sum of \$7,500.00, as nearly as the same can now be estimated, no part of which has been paid although duly demanded.

WHEREFORE, plaintiff prays:

1. That the M/V "SL LIGHTNING" be arrested;
2. That process issue against defendant A.P. MOLLER-MAERSK A/S d/b/a MAERSK LINE and that defendant be cited to appear and answer the allegations of the complaint;

3. That an interlocutory judgment be entered in favor of the plaintiff against the M/V "SL LIGHTNING", against defendants directing that the plaintiff recover its damages and that the M/V "SL LIGHTNING", be condemned and sold and the proceeds of sale be applied to the payment to plaintiff of the sums found due it;
4. That the amount due plaintiff be computed by further proceedings before a Magistrate, pursuant to Rule 53(b) and/or by further proceedings before the Court, pursuant to Rule 42(b);
5. That final judgment against defendant and the M/V "SL LIGHTNING", be entered in favor of the plaintiff for the amount found due plaintiff with interest and with costs; and
6. That plaintiff have such other and further relief as may be just.

Dated: New York, New York
June 27, 2008

DERMOTT & RADZIK, LLP
Attorneys for Plaintiff

By 
William R. Connor III (WC 4631)

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88 Pine Street
New York, New York 10005
212-376-6400

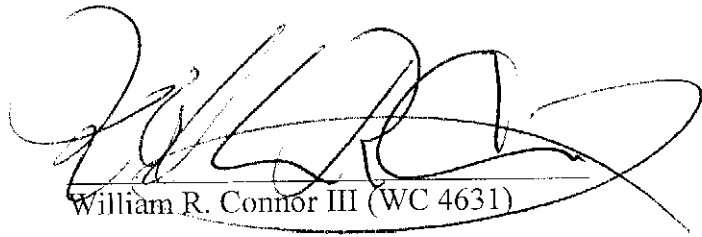
STATE OF NEW YORK)
 : S.S.
COUNTY OF NEW YORK)

WILLIAM R. CONNOR III, being duly sworn, deposes and says:

I am a member of the firm of McDermott & Radzik, LLP. attorneys for the Plaintiff in this action.

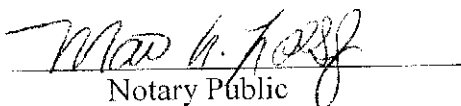
I have read the foregoing Verified Complaint, know the contents thereof, and the same is true to the best of my knowledge, information and belief.

The sources of my information and the grounds of my belief are documents in the possession of my firm.



William R. Connor III (WC 4631)

Sworn to before me this
30th day of June, 2008



Notary Public

MATTHEW T. LOESBERG
Notary Public, State of New York
No. 02106051626
Qualified in New York County
Commission Expires 12-31-2012